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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,963	07/23/2001	Katsuaki Akama	FUJ 18.626	2520
26304	7590	09/09/2004	EXAMINER	
KATTEN MUCHIN ZAVIS ROSENMAN			TIEU, BENNY QUOC	
575 MADISON AVENUE			ART UNIT	
NEW YORK, NY 10022-2585			PAPER NUMBER	
			2642	

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/910,963

Applicant(s)

AKAMA, KATSUAKI

Examiner

Benny Q. Tieu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-16 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/23/01.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipant by Ortiz (U.S. Patent Application Publication No. 2002/0058499).

Regarding claim 1, Ortiz teaches a hand-held terminal for multimedia communication, comprising:

a means for negotiating with a server controlling a multimedia communication apparatus for reserving a function of said multimedia communication apparatus (see [0046]); and

a means for conducting multimedia communication with a communication apparatus of a communication partner through a negotiation with the communication apparatus of the communication partner in regard to said function that is reserved with said negotiation (see [0048].)

Regarding claim 2, Ortiz further teaches the hand-held terminal comprising: a means for displaying the multimedia communication function reserved by said hand-held terminal (see [0046]).

Regarding claim 3, Ortiz further teaches the hand-held terminal, wherein said means for displaying the multimedia communication function further displays a function of the communication apparatus of the communication partner, wherein said function is notified through the negotiation with the communication apparatus of the communication partner (see [0047]).

Regarding claim 4, Ortiz further teaches the hand-held terminal, wherein said means for displaying displays a selectable condition, the reserved condition and a using condition of the multimedia communication (see [0057]).

Regarding claim 5, Ortiz further teaches the hand-held terminal comprising: a unit for storing, to an information storage medium being connectable to the server, information for cryptographic communication to encrypt local communication between the hand-held terminal and the server (see [0054]).

Regarding claim 6, Ortiz further teaches the hand-held terminal comprising: a selector for selecting a communication link, depending on the manipulation of a user of the hand-held terminal or the preset logic, from a plurality of communication links to be used for multimedia communication with the communication apparatus of the communication partner and ensuring such communication link for the multimedia communication using the function (see [0058] and [0059]).

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Regarding claim 7, Ortiz teaches a server, comprising:

a unit for managing a multimedia communication apparatus (see [0063]);

a unit for conducting negotiation with a hand-held terminal for reservation of a function of the multimedia communication apparatus(see [0064]); and

a unit for reserving the function for the hand-held terminal (see [0066]).

Regarding claim 8, Ortiz teaches a hand-held terminal for conducting a multimedia communication between itself and a partner communication terminal, comprising:

a transmitting unit to transmit signals to the partner communication terminal (see [0050]);
and

controlling unit to control said transmitting unit to transmit information with respect to a class of multimedia communication being available for itself to the partner communication terminal (see [0050]).

Regarding claim 9, Ortiz teaches a hand-held terminal for conducting a multimedia communication between itself and a partner communication terminal, comprising:

a transmitting unit to transmit signals to the partner communication terminal (see [0057]);
and

a controlling unit to control said transmitting unit to transmit information with respect to a class of multimedia communication, at the time of starting the communication, being available for its own terminal (see [0057]).

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Regarding claim 10, Ortiz teaches a hand-held terminal for conducting a multimedia communication between itself and a partner communication terminal, comprising:

a transmitting unit to transmit signals to the partner communication terminal (see [0057]);

and

a controlling unit to control said transmitting unit to transmit information with respect to a class of multimedia communication, during the communication with the partner communication terminal, being available for its own terminal (see [0057]).

Regarding claim 11, Ortiz teaches a hand-held terminal for conducting a multimedia communication between itself and a partner communication terminal, comprising:

a transmitting unit to transmit signals to the partner communication terminal (see [0050]);

and

a controlling unit to detect a change of a class of multimedia communication available for its own terminal during a communication with the partner communication terminal and then control said transmitting unit to transmit information with respect to the change of the class of multimedia communication (see [0050]).

Regarding claim 12, Ortiz teaches a hand-held terminal for conducting a multimedia communication between itself and a partner communication terminal, comprising:

a transmitting unit to transmit signals including information with respect to a class of multimedia communication services available to itself to the partner communication terminal, a receiving unit to receive signals including information with respect to a class of multimedia

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communication services available to the partner communication terminal from the partner communication terminal, a display unit, and a controlling unit to control said display unit to display information of a class of multimedia communication services available for use between itself and the partner communication terminal using the information received by said receiving unit.

Regarding claim 13, Ortiz teaches a hand-held terminal for conducting a multimedia communication between itself and a partner communication terminal, comprising:

a communication unit to negotiate with at least one of a multimedia communication apparatus and a server controlling said multimedia communication apparatus for reservation of a function of said multimedia communication apparatus during the multimedia communication with the partner communication terminal, a transmitting unit to transmit signals to the partner communication terminal, and a controlling unit to detect a change of a class of multimedia communication available for own terminal through the negotiation and then control said transmitting unit to transmit signals including information with respect to the change of the class of multimedia communication (see [0057]).

Regarding claim 14, Ortiz teaches a system providing multimedia communication for a hand-held terminal, comprising:

a server for managing a multimedia communication apparatus, and having a negotiation unit for negotiating with said hand-held terminal for reservation of a function of the multimedia communication apparatus, and for reserving the function for the hand-held terminal after negotiation, and a controller in said hand-held terminal for negotiating with said server for

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reserving a function of said multimedia communication apparatus, and for conducting multimedia communication with a communication apparatus of a communication partner through a negotiation with the communication apparatus of the communication partner (see [0046] and [0047]).

Regarding claim 15, Ortiz teaches a mobile terminal for multimedia communication, comprising:

a mobile radio communication unit providing an interface to a mobile radio communication network, a local radio communication unit for providing an interface to a local area radio communication network, and a controller unit to control said mobile radio communication unit and to negotiate with other communication apparatus for reserving multimedia services, and a display unit to display a status of multimedia services (see [0047]).

Regarding claim 16, Ortiz further teaches the mobile terminal wherein said controller unit, further comprising: a profile information management unit for managing profile information of said mobile terminal, a remote controller control unit for controlling peripheral apparatus including said display unit, and a local communication security unit for providing security features for said local radio communication unit when communicating with said local area radio communication network (Fig. 3).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Zhang et al. (U.S. Patent Application Publication No. 2002/0054578) teach channel and quality of service adaptation for multimedia over wireless networks.

4. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

OR Hand-delivered responses should be brought to:

220 South 20th Street

Crystal Plaza Two, Lobby, Room 1B03

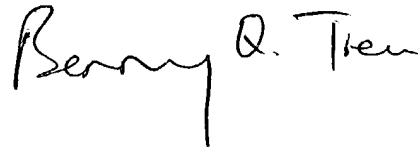
Arlington, VA 22202.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benny Q. Tieu whose telephone number is (703) 305-2360. The examiner can normally be reached on Monday-Friday: 6:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "Benny Q. Tieu". The signature is fluid and cursive, with the first name "Benny" being more prominent than the last name "Tieu".

BENNY TIEU
PRIMARY EXAMINER

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September 3, 2004